

THE CHAIRMAN: Delegate Gallagher, do you yield to a question?

DELEGATE GALLAGHER: I do.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Delegate Gallagher, does the word "person," in line 8, also include "corporations"?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Well, to the extent that a corporation is subpoenaed, I would say that the person who represents it is entitled to this treatment. I think under the interpretation of the law that a corporation is generally considered to be a person in any event.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Does the word "legislative" in line 9 include investigations made by legislative agencies, like the State Insurance Department or the Public Service Commission?

THE CHAIRMAN: Delegate Case, the Chair is puzzled. You regard the State Insurance Department as a legislative agency rather than a department of the executive branch?

Delegate Case.

DELEGATE CASE: The Circuit Court of Baltimore has so held.

THE CHAIRMAN: Very well.

DELEGATE CASE: Of course, the Public Service Commission, acting in its investigatory powers, is exercising legislative power.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: To the extent that any of these agencies would be found to be legislative agencies, I would certainly agree.

THE CHAIRMAN: Delegate Kiefer.

DELEGATE KIEFER: Mr. Chairman, first let me be sure that everyone understands that none of the recommendations contained in Personal Rights Recommendation 2 are to be considered part of section 1, which is the Bill of Rights as such. They are part of general provisions, or wherever else they might properly fit.

I have no personal objection to this. I frankly do not know what "fair and just treatment" means. I would be shocked to believe that the policy of this State or any of its legislative or executive investigative

bodies would be other than fair and just, but if, as Delegate Gallagher says, this was language that was in the draft, it is perfectly all right.

I do not want to be unhelpful. I am perfectly willing to be helpful, and if this is desirable, I have no objection as such. It seems a little silly to me, though.

THE CHAIRMAN: Is there any further discussion?

Delegate Boileau.

DELEGATE BOILEAU: Mr. Chairman, may I direct a question to Delegate Gallagher?

THE CHAIRMAN: Delegate Gallagher, will you yield to a question?

DELEGATE GALLAGHER: In my present obliterated state I yield to a question, yes.

THE CHAIRMAN: Delegate Boileau.

DELEGATE BOILEAU: Do the words "legislative or executive" also refer to local government units?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: They could be so interpreted, but it is my intention, and I believe it was the intention of the Commission, to have them refer to the state legislative body and its committees, that is to say, the General Assembly, and the committees created pursuant thereto. Executive means the State executive.

THE CHAIRMAN: Delegate Boileau, any further questions?

DELEGATE BOILEAU: I just have one question, because it seems to be all-encompassing as it is written now, and I would suggest if that is the import or desire of the maker of this motion, that it be changed so that the word "State" could somehow be interjected.

THE CHAIRMAN: May I make an observation?

DELEGATE GALLAGHER: Yes.

THE CHAIRMAN: I do not believe that the Commission was intending to limit it to state agencies, but rather intending to embrace all governmental agencies within the term "legislative or executive," if that has any bearing on the matter.

DELEGATE GALLAGHER: That being the case, sir, I will say this:

The language is subject to the interpretation that it does not apply exclusively to the state agencies. Since I am adopting the